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Southern District of Texas**

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**LOCAL PHARMACISTS SENTENCED FOR
ILLEGALLY DISTRIBUTING NARCOTICS**

HOUSTON, TX – Two local pharmacists were sentenced for their involvement in a conspiracy to illegally distribute prescription drugs and to launder the proceeds of their illegal drug business. Pharmacists Anthony Dwayne Essett, 39, and John David Wiley III, 41, were sentenced to 151 months and 120 months, respectively, for their part in a conspiracy to distribute 1.7 million tabs of hydrocodone and 2,500 gallons of promethazine with codeine, a narcotic cough syrup. United States Attorney Don DeGabrielle noted that the sentence for each defendant includes a sentence for laundering their illegal drug proceeds. Essett was also ordered to pay a fine of \$312,000. The two pharmacists were found guilty of the drug conspiracy after a five-week jury trial in the fall of 2005. Each defendant was also found guilty of multiple counts of illegal drug distribution and money laundering.

The evidence at trial established that these two pharmacists, and six other co-defendant pharmacists, illegally distributed 1.7 million tablets of hydrocodone and 2500 gallons of promethazine with codeine, a highly addictive narcotic cough suppressant, from October 2002 until December 2003. Wiley and Essett are co-owners of I-10 East Pharmaceutical Services located at 11929 I-10 East.

Four of the convicted pharmacists have already been sentenced. Otukayode Adeleke Otufale, the owner of Med Stop Pharmacy formerly located at 5901 Hillcroft, was sentenced to 10 years. Isaac Simeon Achobe, the owner of American Choice Pharmacy located at 8449 W. Bellfort, was sentenced to 63 months and fined \$5,000. Chicha Kazembe Combs and Andre` Dion Brown, co-owners of Mason Road Pharmacy formerly located at 829 S. Mason Road, Katy, Texas, were each sentenced to 10 years. The six pharmacists were indicted in November 2004 along with Callie Hall Herpin, M.D., 34, Etta Mae Williams, 47, Karen B. Williams, 40, Darryl Armstrong, 41, and Paul Henry, 40. In June 2005, three additional defendants, Omar Fahie, 24, Eric Craft, 38, and Will Bailey III, 36, were added to the indictment.

The remaining eight defendants are scheduled to be sentenced in the coming months for their roles in the drug conspiracy.

The evidence established that Dr. Herpin, with the assistance of Etta and Karen Williams, routinely sold prescriptions for hydrocodone and promethazine with codeine for cash to individuals who did not have a medical need for the drugs. Co-defendants Callie Herpin, Etta

Williams, Darryl Armstrong, and Omar Fahie each testified during the trial. Dr. Herpin testified that her medical practice consisted of selling prescriptions to individuals. Some individuals purchased prescriptions just for themselves while others purchased stacks written for either friends who never appeared in Dr. Herpin's office or for fictitious persons. When the prescriptions were written for fictitious persons, Etta Williams testified she and Karen Williams created lists. Those lists would consist of names from the phonebook, along with addresses and fictitious telephone numbers and dates of birth. The lists were used by Dr. Herpin to write the prescriptions and ultimately by five of the six pharmacists to fill the illegal prescriptions.

Individuals, including co-defendant Omar Fahie, at times purchased 100-400 of these illegal prescriptions from Herpin's office and then had them filled at the pharmacies owned by the co-defendants. Fahie and others testified that they sold the illegally obtained narcotics on the street.

The evidence established that these pharmacists used the phony identifying information from the prescriptions and/or the lists to create patient profiles in their records for the fictitious individuals. Each of the indicted pharmacists filled hundreds of illegal prescriptions from Dr. Herpin. Otufale illegally dispensed over 658,000 hydrocodone pills and more than 976 gallons of promethazine with codeine. Achobe illegally dispensed over 16,000 hydrocodone pills and more than 33 gallons of promethazine with codeine. Combs and Brown illegally dispensed over 183,000 hydrocodone pills and more than 254 gallons of promethazine with codeine. Wiley and Essett were convicted of dispensing over 290,000 hydrocodone pills and more than 411 gallons of promethazine with codeine.

The successful prosecution was the result of a joint investigation by agents of the U.S. Department of Health and Human Services, Office of Inspector General (HHS/OIG), the Drug Enforcement Administration (DEA), the Internal Revenue Service Criminal Investigation (IRS/CI), and the Federal Bureau of Investigation (FBI) This case was prosecuted by Assistant United States Attorneys Al Balboni and Shannon Voll.

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